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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

**ABANTE ROOTER AND PLUMBING,
INC., individually and on behalf of all others
similarly situated.**

Plaintiff,

V.

**UNLOCKED BUSINESS STRATEGIES,
INC.,** a New York corporation, **THOMAS R.
COSTA**, an individual, and **MERCHANT
INDUSTRY, LLC d/b/a SWIPE4FREE**, a
New York limited liability company,

Defendants.

Case No. 4:19-cv-07966-JST

**PLAINTIFF'S REQUEST FOR ENTRY
OF DEFAULT AGAINST NON-
APPEARING DEFENDANTS**

Pursuant to Fed. R. Civ. P. 55(a), Plaintiff Abante Rooter and Plumbing, Inc. (“Plaintiff” or “Abante”), hereby respectfully requests that the Clerk of Court enter default against the following Defendants who have failed to appear, answer, or otherwise defend this action:

1. Unlocked Business Strategies, Inc. (“UBS”);
 2. Thomas R. Costa, an individual; and
 3. Merchant Industry, LLC d/b/a Swipe4Free (“Swipe4Free”).

Plaintiff served UBS via its agent for service of process, United States Corporation Agents, Inc. on April 22, 2020 (dkt. 32), placing its deadline to respond to Plaintiff's Complaint on May 13, 2020. Defendant Costa was served on May 5, 2020 (dkt. 34), placing his deadline to respond to

1 Plaintiff's Complaint on May 26, 2020. Swipe4Free was served on April 24, 2020 (dkt. 33),
2 placing its deadline to respond to Plaintiff's Complaint on May 15, 2020. None of these
3 defendants have answered, appeared, or reached out to Plaintiff's counsel.

4 The Affidavit of Default, attached hereto as Exhibit A, further supports this request.
5

6 Respectfully submitted,

7 Dated: July 2, 2020

8 **ABANTE ROOTER AND PLUMBING, INC.,**
9 individually and on behalf of all others similarly
10 situated,

11 By: /s/ Taylor T. Smith
12 One of Plaintiff's Attorneys

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21 *Counsel for Plaintiff and the Putative Class*

22 *pro hac vice